

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRTY-FIRST MEETING

THURSDAY, FEBRUARY 18, 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Seventeenth Proclamation issued by Governor David Ige on December 16, 2020, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Caldwell's Emergency Order No. 2020-31, effective December 23, 2020 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://zoom.us/j/91503078421>; by dialing 1-408-638-0968, entering the meeting ID#: 915 0307 8421#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

All Commissioners will be participating in the meeting by interactive conference technology from remote locations.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, an equipment and internet access station will be available for use in Suite 111. While in Suite 111, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

PRELIMINARY HEARING:

1. Trans. Appl. No. 21-22760 from Love Honolulu, Inc., dba Kinau Market

For the transfer of the business and Retail General license of Hee Ja Kim, dba Kinau Superette, 729 Kinau Street, and for a change of trade name to Kinau Market (D0570)

REQUESTS:

2. Request No. 21-22578 from W Steak Waikiki, LLC, dba Wolfgang's Steakhouse By Wolfgang Zweiner, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 2301 Kalakaua Avenue, Building C, Space C301 (R0885)

Requesting approval to permanently increase its licensed premises approximately 3,295 square feet

3. Request No. 21-22777 from The Pioneer Club LLC, dba The Plaza Club, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 900 Fort Street Mall, Suites 2000/2100 (R0902)

Notification of change of members/managers and transfer of membership interests

(License currently in safekeeping)

4. Request No. 21-22804 from Aloha Beer Company, LP, dba Aloha Beer Company, LP, Brew Pub General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 700 Queen Street (B0011)

Requesting cancellation of Dispenser General License No. E0130 (Category No. 4 – Hostess) issued to New Bangkok, Inc., dba Pattaya Thai

(Request No. 21-22310 from Aloha Beer Company, LP, for extension of premises, was approved on January 21, 2021 subject to cancellation of license issued to New Bangkok, Inc.)

ADOPTION OF DECISION AND ORDER:

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| 5. | Brix-N-Bones
(LCV 20-0283)
(R0976) | For adoption of Decision and Order |
| 6. | Honolulu Aerie No. 140,
Fraternal Order of Eagles
(LCV 20-0282)
(F0020) | do. |
| 7. | Kapolei Karaoke
(LCV 20-0284)
(E1585) | do. |
| 8. | La Cucina
(LCV 20-0278)
(R0354) | do. |
| 9. | Misty Blue
(LCV 20-0228)
(E0953) | do. |
| 10. | Stewbum & Stonewall
Brewing Co.
(LCV 20-0281)
(B0018) | do. |

ADJUDICATION HEARINGS:

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| 11. | 1938 Indochine/Qing Mu
(LCV 20-0276)
(R1398) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 21, 2020) |
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ADJUDICATION HEARINGS: (CONT.)

12. Broken Boundry Brewery
(LCV 20-0305)
(B0019)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 10, 2020)

13. Frog House Restaurant
(LCV 20-0302)
(R0739)

- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 5, 2020)
- (2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about December 5, 2020)

ADJUDICATION HEARINGS: (CONT.)

14. Han Yang Restaurant
(LCV 20-0266)
(R0199)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-29 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 14, 2020)

15. Hibiscus Club
(LCV 20-0222)
(E1538)

- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-26 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about September 19, 2020)
- (2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about September 19, 2020)

(Continued from January 21, 2021)

[History: 12/17/20, 1/21/21]

ADJUDICATION HEARINGS: (CONT.)

16. The Nighthawk
(LCV 20-0301)
(R1403)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 4, 2020)
17. The Nighthawk
(LCV 20-0309)
(R1403)

Licensee failed to submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about November 30, 2020, and/or during the period from November 30, 2020 to December 19, 2020)
18. Pho One Vietnamese Cuisine
(LCV 20-0307)
(R1078)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about November 24, 2020)

ADJUDICATION HEARINGS: (CONT.)

19. Sky Lounge
(LCV 20-0080)
(E0671)
- (1) Licensee failed to maintain complete and accurate records in order to properly complete and submit the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019)
- (2) Licensee purchased or acquired liquor from any person other than a licensed wholesaler for purposes of resale (Violation of Section 281-31(t)) (Date of violation: On or about February 20, 2020)
- (Continued from January 21, 2021)
20. Sky Lounge
(LCV 20-0238)
(E0671)
- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 9, 2020)
- (2) Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about October 9, 2020)

ADJUDICATION HEARINGS: (CONT.)

Sky Lounge
(LCV 20-0238)
(E0671)
(Cont.)

- (3) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about October 9, 2020)

(Continued from January 21, 2021)

21. Tiana Café & Karaoke
(LCV 20-0143)
(E1548)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-19 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about July 22, 2020)

(Continued from January 14, 2021)

[History: 12/3/20, 1/14/21]

22. Smith and Kings –
Restaurant & Bar
(LCV 20-0196)
(R0992)

Licensee failed to file with the Commission a report showing the gross amount of liquor sold by the Licensee during the twelve months beginning July 1, 2019, and ending June 30, 2020 (Violation of Rule 3-81-17.54(c)) (Date of violation: August 5, 2020)

(Continued from November 5, 2020)

OTHER BUSINESS:

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| 23. | Liquor Administrator | Legislative Update |
| 24. | Liquor Administrator | Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination |
| 25. | Liquor Commission | <u>Executive Session</u> – Performance Evaluation of Liquor Control Administrator, in accordance with HRS 92-5(a)(2) |

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.